

**STATEMENT
OF
SENATOR DANIEL K. INOUE
BEFORE THE
SENATE INDIAN AFFAIRS COMMITTEE
HEARING ON
OFF-RESERVATION GAMING**

THANK YOU MR. CHAIRMAN.

I WOULD LIKE TO NOTE THAT THIS IS APPROXIMATELY THE SIXTH GAMING OR GAMING-RELATED HEARING THAT THE COMMITTEE HAS HELD THIS CONGRESS. I ALSO UNDERSTAND THAT THE COMMITTEE INTENDS TO HOLD SEVERAL MORE HEARINGS ON THIS TOPIC. AS A LEAD SPONSOR OF THE INDIAN GAMING REGULATORY ACT, I HAVE A STRONG INTEREST IN ANY PROPOSALS TO AMEND THE INDIAN GAMING REGULATORY ACT.

I HAVE PERSONALLY WITNESSED THE INDIAN GAMING INDUSTRY GROW TO A MULTIBILLION DOLLAR INDUSTRY. IT HAS PROVEN TO BE THE MOST SUCCESSFUL ECONOMIC DEVELOPMENT TOOL FOR INDIAN COUNTRY.

OVER 200 TRIBES HAVE TAKEN ADVANTAGE OF THIS THRIVING ECONOMIC OPPORTUNITY TO PROVIDE FUNDS FOR GOVERNMENT OPERATIONS AND SOCIAL PROGRAMS AS WELL AS PROVIDE EMPLOYMENT OPPORTUNITIES FOR TRIBAL MEMBERS.

UNFORTUNATELY, INDIAN GAMING IS UNDER ATTACK, ESPECIALLY OFF-RESERVATION GAMING. WHEN THE INDIAN GAMING REGULATORY ACT WAS ENACTED, WE CLEARLY ENVISIONED THE POSSIBILITY OF OFF-RESERVATION GAMING AND ESTABLISHED A PROCEDURE TO BE FOLLOWED. THAT PROCEDURE IS WORKING.

THE PROCESS THAT WAS ESTABLISHED ADEQUATELY CONSIDERS STATE AND LOCAL CONCERNS. EVEN THOSE TRIBES WITH STATE AND LOCAL AGREEMENT MUST STILL FACE CHALLENGES BY INDIVIDUALS WHO ARE ABLE TO USE THE ADMINISTRATIVE AND JUDICIAL PROCESSES AVAILABLE TO THEM TO DELAY A GAMING PROJECT FOR YEARS.

IT IS A LONG AND ARDUOUS PROCESS THAT TAKES MANY YEARS TO COMPLETE. TRIBES INVEST MUCH TIME AND MONEY IN OBTAINING A

GAMING FACILITY – MONEY THAT THEY DO NOT HAVE A LOT OF AND THAT I AM SURE THEY WOULD MUCH RATHER USE FOR OTHER PURPOSES.

LAST MAY, THE DEPARTMENT OF INTERIOR TESTIFIED THAT ONLY 3 SECTION 20 OFF-RESERVATION GAMING FACILITIES HAVE BEEN APPROVED SINCE 1988 WHEREAS MOST APPLICATIONS HAVE FAILED BECAUSE THEY DID NOT MEET THE REQUIREMENTS OF THE DEPARTMENT OF INTERIOR OR DID NOT HAVE BOTH LOCAL AND STATE GOVERNMENT SUPPORT.

THERE IS ALSO A FAIRNESS FACTOR BUILT INTO THE INDIAN GAMING REGULATORY ACT THAT EXEMPTS RESTORED AND NEWLY RECOGNIZED TRIBES. REMOVAL OF THIS PROVISION WILL PUNISH THOSE TRIBES FOR THE FEDERAL GOVERNMENT'S PAST CONDUCT TOWARDS THAT TRIBE AND ALL OTHER INDIANS. CHANGING THE RULES NOW WILL BE DETRIMENTAL TO THOSE WHOSE APPLICATIONS ARE CURRENTLY PENDING.

THE FACTS SHOW THAT THERE IS NO PROBLEM WITH INDIAN GAMING. THE PROBLEM THAT WE FACE TODAY IS ONE OF A PERCEPTION – THAT OFF-RESERVATION GAMING IS A PROBLEM. WE SHOULD NOT LEGISLATE A PERCEPTION THAT IS UNSUPPORTED BY THE FACTS. INSTEAD, WE SHOULD FOCUS OUR TIME AND EFFORTS ON HOW TO CORRECT THE MISPERCEPTION.

I LOOK FORWARD TO LISTENING TO THE TESTIMONIES OF TODAY'S WITNESSES.

ONCE AGAIN, THANK YOU MR. CHAIRMAN.